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Letter dated 12 November 2003 from the Secretary-General addressed to the President of the General Assembly

I have the honour to refer to your letter of 5 November 2003 concurring with my proposal to appoint Kevin Horace Parker as a permanent judge of the International Tribunal for the Former Yugoslavia (see annex). I have received a corresponding letter from the President of the Security Council. Accordingly, I have appointed Mr. Parker as a permanent judge of the International Tribunal for the Former Yugoslavia, effective 4 December 2003, for the remainder of the term of office of Judge David Hunt, which will expire on 16 November 2005.

(*Signed*) Kofi A. **Annan**

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Annex

Letter dated 5 November 2003 from the President of the General Assembly addressed to the Secretary-General

I have the honour to refer to your letter of 3 November 2003 concerning the candidature of Kevin Horace Parker to replace Judge David Hunt, who resigned as a judge of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, effective 16 November 2003 (see enclosure).

In accordance with article 13, paragraph 3, of the statute of the International Tribunal, I have reviewed the qualifications of Mr. Parker and am pleased to inform you that I concur with the proposed appointment.

(*Signed*) Julian R. **Hunte**

Enclosure

Letter dated 3 November 2003 from the Secretary-General addressed to the President of the General Assembly

I have the honour to refer to article 13 bis, paragraph 2, of the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, which reads as follows:

> "In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 13 of the statute for the remainder of the term of office concerned."

In this connection, I should like to inform you that Judge David Hunt, a national of Australia, has resigned as a permanent judge of the International Tribunal, effective 16 November 2003.

The Government of Australia has presented the candidacy of Kevin Horace Parker to replace Judge Hunt. Please find attached his curriculum vitae.[a]

It is my view that Mr. Parker meets the qualifications prescribed in article 13 of the International Tribunal's statute. I also consider that Mr. Parker's appointment would be well calculated to ensure adequate representation on the Tribunal of the principal legal systems of the world, as contemplated in article 13 bis, paragraph 1 (c), of the Tribunal's statute.

I should therefore like to proceed to consultation with you on the appointment of Mr. Parker, in accordance with article 13 bis, paragraph 2, of the International Tribunal's statute. I look forward to receiving your views on the matter.

(*Signed*) Kofi A. **Annan**

[a] See S/2003/1087.